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Attorneys for Federal Defendants

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

AQUALLIANCE and CENTER FOR
BIOLOGICAL DIVERSITY,

Plaintiffs,

v.

U.S. FISH AND WILDLIFE SERVICE;
U.S. ARMY CORPS OF
ENGINEERS; COLONEL ROBERT
M. MCTIGHE, in his official capacity
as District Commander of the U.S.
Army Corps of Engineers; and DOUG
BURGUM, in his official capacity as
Secretary of the Interior,

Federal Defendants,

and

EPICK HOMES, INC. and BRUCE
ROAD ASSOCIATES, LP,

Defendant-Intervenors.

Case No. 2:21-cv-01527-DJC-DMC

NOTICE OF APPEAL

1 Federal Defendants the U.S. Fish and Wildlife Service, U.S. Army Corps of
2 Engineers, Robert M. McTighe, in his official capacity as District Commander of the U.S.
3 Army Corps of Engineers, and Doug Burgum, in his official capacity as Secretary of the
4 Interior ("Federal Defendants"), appeal to the United States Court of Appeals for the
5 Ninth Circuit from the Court's July 31, 2025 Judgment (ECF No. 62) and any and all
6 adverse rulings incorporated in or ancillary to that judgment, which include the July 17,
7 2025 Order (ECF No. 61). Pursuant to Federal Rule of Appellate Procedure 12(b) and
8 Ninth Circuit Rule 3-2(b), Federal Defendants' Representation Statement is attached.

9 Federal Defendants are not required to submit filing fees or docketing fees. See
10 Ninth Circuit Rule 3-1. This Notice of Appeal is timely pursuant to Federal Rule of
11 Appellate Procedure 4(a)(4)(A)(iv).

12 DATED: September 29, 2025

Respectfully submitted,

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15 Acting Assistant Attorney General
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19 /s/ Kamela A. Caschette
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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court via the CM/ECF system, which will send notification to the attorneys of record in this case.

/s/ Kamela A. Caschette